

From: Zito, Kelly
To: Barkett, Bonnie; Heller, Zoe; Yogi, David; Glenn, William
Subject: Fw: Award Pic
Date: Tuesday, December 10, 2013 12:53:39 PM
Attachments: photo.JPG
ATT00001.txt

A photo from the award in PHX today... Maybe we should Facetweet?
Thanks!
Kelly

From: Jared Blumenfeld <jaredblumenfeld@comcast.net>
Sent: Tuesday, December 10, 2013 12:42:53 PM
To: Zito, Kelly
Subject: [POSSIBLE SPAM] Pic



STARDUST

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480.695.8555

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ATT00001.txt

Sent from my iPhone

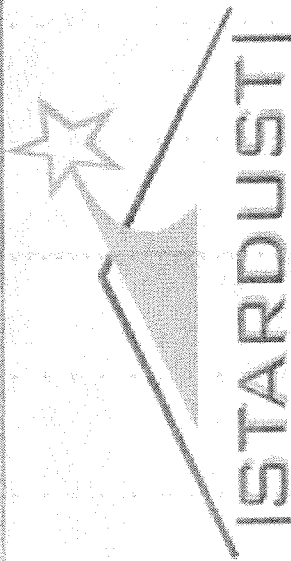
From: [Barkett, Bonnie](#)
To: [Nelson, Patti](#)
Subject: FW: Award Pic
Date: Tuesday, December 17, 2013 10:45:00 AM
Attachments: [photo.JPG](#)
[ATT00001.txt](#)

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Sent from my iPhone

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To: Barkett, Bonnie; Zito, Kelly; Heller, Zoe; Glenn, William
Subject: RE: Award Pic
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Phil McNeely, Manager of Office of Environmental Programs for the City of Phoenix

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Subject: RE: Award Pic
Date: Tuesday, December 10, 2013 1:03:00 PM

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Subject: RE: Award Pic
Date: Tuesday, December 10, 2013 1:38:43 PM

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480-695-8520

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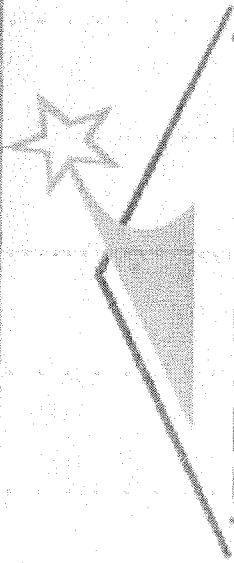
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ATT00001.txt

Sent from my iPhone

From: [Ryerson, Teddy](#)
To: [Manzanilla, Enrique](#); [Ebbert, Laura](#); [Strauss, Alexis](#)
Cc: [Yogi, David](#); [Keener, Bill](#); [Zito, Kelly](#); [J Blumenfeld](#); [DIAMOND, JANE](#); [Heller, Zoe](#)
Subject: Re: National Brownfields grants award announcements Wednesday
Date: Tuesday, May 07, 2013 5:16:42 PM

Jane pointed out that, unlike prior years, R9 has no tribal recipients this year. Successful award recipients will be notified tomorrow and will be announced via EPA's press releases and media strategy. Unsuccessful applicants will receive a letter (but will also become aware based on EPA's media outreach and communication of the awardees.)

Given that a significant number of our tribes applied for Brownfields funding, and that many tribal representatives are here in our offices this week for RTOC meetings, we wanted you to be aware of the national Brownfields award announcement (and regional amplification), and of the implications for our tribes (who may not receive formal notification til late this week or early next week.)

Nancy J. ("Teddy") Ryerson
Chief of Staff to the Regional Administrator
U.S. EPA, Pacific Southwest Office
Office: 415-947-8702
Cell: 415-254-5381

From: Zito, Kelly
Sent: Tuesday, May 07, 2013 4:40:06 PM
To: Blumenfeld, Jared
Cc: Yogi, David; Keener, Bill; Ryerson, Teddy
Subject: REVIEW: Draft Grass Valley PR for Brownfields grants

We have three brownfields' grants winners in CA, one in HI, and one in NV.
Can you review the NorCal PR below and make any edits? The quotes for each PR have the same general themes about reuse, community involvement and economic impact.
We are planning to release them tomorrow around 11 a.m.

Thanks!!
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From: Yogi, David
Sent: Tuesday, May 07, 2013 4:34 PM
To: Zito, Kelly
Subject: Draft Grass Valley PR

FOR IMMEDIATE RELEASE: May 8, 2013

CONTACT: David Yogi, 415/972-3350, yogi.david@epa.gov

Two Grass Valley, Calif. groups awarded \$1 million in U.S. EPA Brownfields grants

Grants part of over \$62.5 million awarded nationally

SAN FRANCISCO – The U.S. Environmental Protection Agency today awarded \$600,000 in Brownfields hazardous substances cleanup grants to the Yuba River Charter school, located in Grass Valley, Calif. and \$400,000 in community-wide hazardous substance and petroleum assessment grants to City of Grass Valley (Calif.) as part of a \$62.5 million in EPA Brownfields Assessment, Revolving Loan Fund, and Cleanup (ARC) grants awarded nationally to over 240 recipients.

“These grants will go a long way to bring areas in Grass Valley back into productive reuse while engaging community members in the process,” said Jared Blumenfeld EPA’s Regional Administrator for the Pacific Southwest. “EPA is pleased to be able to fund these local projects that will help revitalize neighborhoods and spur economic activity.”

Three \$200,000 hazardous substance cleanup grants were awarded to Yuba River Charter School to remediate areas near the school that were mined for gold in the 19th century and, more recently, used for 50 years to burn municipal solid waste. Upon completion of the site remediation, the properties will become part of the new Yuba River Charter School.

The City of Grass Valley’s \$200,000 community-wide hazardous substance assessment grant and \$200,000 community-wide petroleum assessment grant will be used to conduct approximately 30 Brownfields hazardous substance site assessments sites across the city. Results from these site assessments will be used to create ranked inventories of hazardous substance and petroleum sites and develop cleanup strategies. Grant funding will also be used to conduct community involvement activities.

Nationally, 240 recipients have been recommended to receive \$62.5 million in grants. These new investments, funded by EPA’s Brownfields Assessment, Revolving Loan Fund, and Cleanup (ARC) grants, provide communities with funding necessary to assess, cleanup and redevelop contaminated properties, boost local economies and leverage jobs while protecting public health and the environment.

These Brownfields grants target under-served and economically disadvantaged neighborhoods – places where environmental cleanups and new jobs are most needed. Approximately \$29.5 million are going to communities that have been impacted by plant closures. Other selected recipients include tribes and communities in 45 states across the country, and nearly half of the grantees this year are new recipients.

There are an estimated 450,000 abandoned and contaminated sites in the United States. More than 20,000 properties have been assessed, and more than 850 properties have been cleaned up. EPA’s Brownfields investments have also leveraged more than \$19 billion in overall cleanup and redevelopment funding from public and private sources. On average \$17.79 is leveraged for every

EPA Brownfields grant dollar spent. These investments resulted in approximately 87,000 jobs nationwide. When Brownfields are addressed, nearby property values can increase 2-3 percent.

A 2011 pilot study indicated Brownfields site redevelopment increases location efficiency, which means that residents live closer to where they work and play reducing their commute times and greenhouse gas emissions. EPA's preliminary research has also shown that redeveloping Brownfield sites results in an efficient reuse of existing infrastructure and decreasing instances of stormwater runoff. These projects can have a positive impact on community revitalization by leveraging jobs, producing clean energy, and providing recreation opportunities for surrounding neighborhoods.

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From: DIAMOND, JANE
To: Ryerson, Teddy; Manzanilla, Enrique; Ebbert, Laura; Strauss, Alexis
Cc: Yogi, David; Keener, Bill; Zito, Kelly; J Blumenfeld; Heller, Zoe
Subject: Re: National Brownfields grants award announcements Wednesday
Date: Tuesday, May 07, 2013 5:55:41 PM

I understand 3 R9 tribes applied and none were selected: Navajo, Tohono O'odham and Chemehuevi.
Jane Diamond
Superfund Director
415-947-8709

From: Ryerson, Teddy
Sent: Tuesday, May 07, 2013 5:16:40 PM
To: Manzanilla, Enrique; Ebbert, Laura; Strauss, Alexis
Cc: Yogi, David; Keener, Bill; Zito, Kelly; J Blumenfeld; DIAMOND, JANE; Heller, Zoe
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U.S. EPA, Pacific Southwest Office
Office: 415-947-8702
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Benefits <http://www.epa.gov/brownfields/overview/Brownfields-Benefits-postcard.pdf>

###

From: Ebbert, Laura
To: RYERSON, NANCY (TEDDY); HELLER, ZOE
Cc: Zvanovec, Denise
Subject: Fw: Summit Lake Paiute Tribe
Date: Monday, January 28, 2013 12:14:53 PM

Teddy: would you like me to reply that a letter from Jared is in the works, and a meeting at this time may be premature? The letter is in draft in MTSD, we are waiting for a concurrence copy.

LE

Laura (Mayo) Ebbert

Manager

Tribal Program Office

U.S. Environmental Protection Agency

75 Hawthorne Street

San Francisco, CA 94105

(415) 947-3561

ebbert.laura@epa.gov

Visit our website: www.epa.gov/region9/tribal

----- Forwarded by Laura Ebbert/R9/USEPA/US on 01/28/2013 12:13 PM -----

From: Aaron Peskin <landh2o@mindspring.com>

To: Laura Ebbert/R9/USEPA/US@EPA,

Cc: Zoe Heller/R9/USEPA/US@EPA, Teddy Ryerson/R9/USEPA/US@EPA, "jaredblumenfeld@comcast.net" <jaredblumenfeld@comcast.net>, Randi DeSoto <randi.desoto@summitlaketribe.org>, William Cowan <william.cowan@summitlaketribe.org>

Date: 01/28/2013 11:34 AM

Subject: Re: Summit Lake Paiute Tribe

Dear Ms. Ebbert,

I am following up regarding arranging a meeting between Jared Blumenfeld and representatives of the Summit Lake Paiute Tribe. One possibility would be for Jared to come to a Summit Lake Paiute Tribal Council meeting. During the winter their meetings are held in Sparks

Nevada. The next one will be on Saturday February 16 and the one after that on Saturday March 16. If that doesn't work, I will see if Chairwoman DeSoto could make arrangements to come to San Francisco again.

Sincerely,

Aaron Peskin

On 1/11/13 10:48 AM, "Ebbert.Laura@epamail.epa.gov"
<Ebbert.Laura@epamail.epa.gov> wrote:

Aaron:

I just now heard from the Office of the Regional Administrator. Jared's schedule is, as you can imagine, very difficult to pin down at any given point. He has been confirmed to be on travel on January 15, and will be unable to meet with the Chairwoman. Please extend his regrets. If there's any other way I can be of assistance, please let me know.

LE

Laura (Mayo) Ebbert

Manager

Tribal Program Office

U.S. Environmental Protection Agency

75 Hawthorne Street

San Francisco, CA 94105

(415) 947-3561

ebbert.laura@epa.gov

Visit our website: www.epa.gov/region9/tribal
<www.epa.gov/region9/tribal>

From: Aaron Peskin <landh2o@mindspring.com>

To: Laura Ebbert/R9/USEPA/US@EPA,
Date: 01/11/2013 10:30 AM
Subject: Re: Summit Lake Paiute Tribe

Dear Laura,

Any word?

Thanks,

Aaron

On 1/8/13 1:53 PM,
"Ebbert.Laura@epamail.epa.gov
<Ebbert.Laura@epamail.epa.gov> "
<Ebbert.Laura@epamail.epa.gov
<Ebbert.Laura@epamail.epa.gov> > wrote:

Aaron: I'll check in with Jared's scheduler and see if there's any availability. However, at the moment it looks like he may be out of the office on work-related travel that day. I will confirm as soon as I can.

LE

Laura (Mayo) Ebbert

Manager

Tribal Program Office

U.S. Environmental Protection
Agency

75 Hawthorne Street

San Francisco, CA 94105

(415) 947-3561

ebbert.laura@epa.gov <ebbert.laura@epa.gov>

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To: Laura Ebbert/R9/USEPA/US@EPA,

Cc: Teddy Ryerson/R9/USEPA/US@EPA,
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<jaredblumenfeld@comcast.net
<jaredblumenfeld@comcast.net> >, Randi DeSoto
<randi.desoto@summitlaketribe.org
<randi.desoto@summitlaketribe.org> >

Date: 01/08/2013 01:35 PM

Subject: Summit Lake Paiute Tribe

Dear Ms. Ebbert,

I realize it is rather short notice, but
Summit Lake Paiute Tribal

Chairwoman Randi DeSoto could
meet with Mr. Blumenfeld in San
Francisco on

Tuesday January 15. If that doesn't
work, I look forward to working with
you to arrange a mutually
convenient time.

Sincerely,

Aaron Peskin

----- Forwarded Message

From:

<jaredblumenfeld@comcast.net
<jaredblumenfeld@comcast.net> >

Reply-To:

<jaredblumenfeld@comcast.net
<jaredblumenfeld@comcast.net> >

Date: Thu, 3 Jan 2013 18:30:50
+0000

To: Aaron Peskin

<landh2o@mindspring.com
<landh2o@mindspring.com> >

Cc: Laura Mayo

<ebbert.laura@epa.gov
<ebbert.laura@epa.gov> >, Teddy Ryerson
<ryerson.teddy@epa.gov
<ryerson.teddy@epa.gov> >

Subject: Re: Summit Lake Paiute
Tribe

Hi Aaron -

I hope you had a good New Year's!

I am in receipt of the letter and agree it would make sense to have a meeting with the Chair. Please can you work with Laura Ebbert to set up a

time that works for all. We can also do a call if in-person is tough to organize.

Best, Jared

-----Original Message-----

From: Aaron Peskin

To: Jared Blumenfeld

Subject: Summit Lake Paiute Tribe

Sent: Jan 3, 2013 10:11 AM

Dear Jared,

Happy New Year. Just checking to see if you are in receipt of Summit Lake

Paiute Tribe Chairwoman Randi

DeSoto's letter regarding the on-going

financial matters with EPA? She would like to meet with you in an attempt

to resolve the matter. Please let me know if you have not received the letter which was supposed to have gone out a couple of weeks ago.

Best,

Aaron Peskin

Sent via BlackBerry by AT&T

----- End of Forwarded Message

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Chief of Staff to the Regional Administrator
U.S. EPA, Pacific Southwest Office
Office: 415-947-8702
Cell: 415-254-5381

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Sent: Tuesday, May 07, 2013 4:40:06 PM
To: Blumenfeld, Jared
Cc: Yogi, David; Keener, Bill; Ryerson, Teddy
Subject: REVIEW: Draft Grass Valley PR for Brownfields grants

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Sent: Tuesday, May 07, 2013 4:34 PM
To: Zito, Kelly
Subject: Draft Grass Valley PR

FOR IMMEDIATE RELEASE: May 8, 2013
CONTACT: David Yogi, 415/972-3350, yogi.david@epa.gov

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From: DIAMOND, JANE
To: Ryerson, Teddy; Manzanilla, Enrique; Ebbert, Laura; Strauss, Alexis
Cc: Yogi, David; Keener, Bill; Zito, Kelly; J Blumenfeld; Heller, Zoe
Subject: Re: National Brownfields grants award announcements Wednesday
Date: Tuesday, May 07, 2013 5:55:41 PM

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Jane Diamond
Superfund Director
415-947-8709

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Sent: Tuesday, May 07, 2013 5:16:40 PM
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To: [Manzanilla, Enrique](#); [Ebbert, Laura](#); [Strauss, Alexis](#)
Cc: [Yogi, David](#); [Keener, Bill](#); [Zito, Kelly](#); [J Blumenfeld](#); [DIAMOND, JANE](#); [Heller, Zoe](#)
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###

From: Kelly Zito
To: RYERSON, NANCY (TEDDY); BLUMENFELD, JARED; Teddy Ryerson; Jared Blumenfeld
Subject: Blackberry
Date: Sunday, February 17, 2013 2:32:06 PM

Hey Teddy and Jared - I don't have my BB migrated yet because I'm at my parents place out in the foothills where reception is horrible. I spoke with Duane and he recommended waiting til tomorrow or Tuesday when I'm back in the Bay area... I only have one bar of service and Duane worries that will hang up the migration. If you need me use my iphone number: 4(b) (6) Hope to see you on the other side!!

Kelly

Sent from my iPhone

From: Francisco Da Costa
To: Jeff Adachi; Al Williams; Art Torres; Ursula-Ann Siataga; Andrea O. Pierce; Bruce Giron; Ben Rosenfield; Barbara Garcia; Bevan Duffy; Shawn Siolo; Tiffany Bohee; Dennis Herrera; Maria Da Costa; Vince Courtney; Calvin Louie; David Chiu; Mike Crosetti; David Gavrich; David Wilkins; Edwin Lee; Espanola Jackson; Ed Reiskin; Emma Jack; Ernest Jackson; Fuad Sweiss; Felix Martins; Fufuile Numeitoulou; Brian O'Flynn; Francis X Crowley; Veronica Shepard; Greg Suhr; Miguel Galarza; Gavnor Siataga; Harlan Kelly; Scott Hanks; Kenny Ngo; Harvey Rose; Hisashi Sugaya; Simi Iulio; Saran Indigo; Mike ILWU; Valerie Ishii; Ingrid Merriwether; Judy Singharath; Judy Singharath; Darshan Singh; Bernida Reagan; Jae Ryu; John Nauer; Tyrone Jue; Naomi Kelly; Steve Kawa; Kevin Cashman; LaVerne LaVerne; Mark Muhammad; John Loftus; Mitchell Salazar; Mohammed Nuru; Maurice Quillen; Tommy Moala; Masood Ordikhani; Necolious Hooker; Olton Rensch; Oscar Grande; CAPT Robert O'Sullivan; Pastor Samoan Williams; Patrick Monette-Shaw; Vincent Pan; Henry Pan; Jim Queen; Amy Quesada; Monique Moyer; Dean Kenneth Monteiro; Monique Zmuda; Monica Lim; Robert Woods; Roger Richard; Rich James; Linda Fadeke Richardson; Tove T; Tony Winnicker; Joaquin Torres; Joanne Hayes-White; Anson Moran; Ann Moller Caen; Michael J. Antonini; michaelboyd@sbcglobal.net; Michael Moschella; mythcott@e2inc.com; Michele Roberts; kkubick@sfwater.org; Karen McCoy; Jared Blumenfeld; Blumenfeld; Jared; Larry Bush; Larry Solaita; Larry Frias; Judy Berk; Ranon Ross; SFBOS BOS; BSU SFBUS; Malia Cohen; Mark Farrell; Mark Anguoe; Morning Star Gali; Eric Williams; Eric Mar; Benjamin Poole; Leamon Abrams; Guy B. Hollins; Navarro Carmelita; Carmen Chu; Carolyn Caldwell; Bill Carpenter; Catarino Mendoza; Sean Subway; Sean Mitchell; Serie McDougal; Nadia Sesay; Christine Falvey; Christina Olague; Christopher Muhammad; Chris Jackson; Angus McCarthy; Maria Lombardo; London Breed; Tigest Scott; Scott Wiener; Ramona Tascoe; Ramon Garcia; Ramon Hernandez; Sam Murray; Sam Ruiz; Beverly Popek; Ross Mirkarimi; Matier and Ross column; Kay Fernandez; Lauraine Tavlay; Kay Mphenyeke; Derf Butler; Deanna Wallace; Derek Toliver
Subject: Contractors' Assistance Center at 5 Thomas Mellon Circle - Suite 168.
Date: Tuesday, December 17, 2013 6:21:05 AM

Contractors' Assistance Center at 5 Thomas Mellon Circle - Suite 168:

<http://kilamanjaro-kilamanjaro.blogspot.com/2013/12/at-last-after-three-full-years-some-of.html>

Francisco Da Costa
Director
Environmental Justice Advocacy

From: Michael Green
To: Jared Blumenfeld; Blumenfeld, Jared
Cc: Eileen Moncoeur
Subject: Did you receive an invite to the CEH briefing?
Date: Wednesday, September 04, 2013 7:31:37 PM

Hi Jared,

It's on the CSIA (TSCA reform) and its at the top of the Transamerica Bldg (48th floor) from 9:30-10:30am on Friday. You can come and/or send a couple EPA people. All names need to be on the list tomorrow or they won't be allowed into the bldg.

Not inviting press.

It will be small, and is by invite only. I hope that this is not the first you have heard of it.

Hope you're well.

Michael Green
Center for Environmental Health
(offices in Oakland and NYC)
510-655-3900 x302
www.CEH.org

Typed on my phone with my thumbs.

From: [Reynolds, Joel](#)
To: [Blumenfeld, Jared](#); [Jared Blumenfeld](#)
Subject: FW: Draft NRDC Comments on Gregory Canyon DEIS
Date: Saturday, April 13, 2013 1:36:10 PM
Attachments: [GregoryCanyon_Draft EIS comments \(DRAFT\).docx](#)
Importance: High

fyi

Joel Reynolds
Western Director
Senior Attorney
Natural Resources Defense Council
1314 Second Street
Santa Monica, CA 90401
(310) 434-2300
(310) 434-2399 (fax)
jreynolds@nrdc.org

From: Reynolds, Joel
Sent: Saturday, April 13, 2013 1:36 PM
To: Nancy Stoner (stoner.nancy@epa.gov)
Subject: Draft NRDC Comments on Gregory Canyon DEIS
Importance: High

Dear Nancy:

Although the attached comments may see some slight editing before they are formally submitted on Monday, I'm forwarding them to you in advance in the hope that they may assist EPA in its consideration of, and engagement in, this critically important matter.

NRDC and its 1.3 million members and activists, along with its numerous and diverse coalition partners, believe strongly that this project – and the draft environmental impact statement that is the subject of our comments – fail to meet the requirements of federal law and long established EPA standards of environmental justice. More broadly, they violate sound environmental policy against the siting of solid waste disposal facilities adjacent to rivers or other important water bodies – in this case, the San Luis Rey River in northern San Diego County – and ignore the scientific consensus on which that policy is based. There is no need for this facility given the growth of recycling in the region and the range of solid waste disposal alternatives, and the grossly deficient needs discussion contained in the draft does nothing to contradict that conclusion.

For all of these reasons, and based on the analysis in extensive additional comments that will be submitted by our coalition partners, we urge EPA to reject the draft EIS in the strongest possible terms. This rejection is essential to prevent both significant harm to the San Luis Rey River and associated waters and damaging national precedent under the federal Clean Water Act.

Thank you for your attention to this matter.

Best regards,

Joel

Joel Reynolds
Western Director
Senior Attorney
Natural Resources Defense Council
1314 Second Street
Santa Monica, CA 90401
(310) 434-2300
(310) 434-2399 (fax)
jreynolds@nrdc.org



By U.S. Mail and Electronic Submission

April 12, 2013

U.S. Army Corps of Engineers
Regulatory Division
ATTN: Gregory Canyon EIS, Project Manager William H. Miller
Los Angeles District, South Coast Branch
6010 Hidden Valley Road, Suite 105
Carlsbad, CA 92011-4219

Email: gregorycanyoneis-spl@usace.army.mil

Re: Comments Regarding Draft Environmental Impact Statement and Clean Water Act Section 404 Permit for the Proposed Gregory Canyon Landfill

Dear Mr. Miller:

On behalf of the Natural Resources Defense Council (NRDC) and our 1.3 million members and activists, over 250,000 of whom reside in California, we are writing to submit comments on the Draft Environmental Impact Statement (DEIS) for the Gregory Canyon Landfill. Our comments relate to *both* the requirements of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.) in preparing the Environmental Impact Statement *and* the U.S. Army Corps of Engineers' present review of Gregory Canyon, Ltd.'s application for a permit pursuant to § 404(b)(1) of the Clean Water Act (33 U.S.C. 1344) to permanently discharge fill material into the San Luis Rey River.¹

¹ The Army Corps' public comment notice referred to only the DEIS. NRDC reserves the right to comment on the § 404(b)(1) alternatives analysis conducted pursuant to 40 C.F.R. Part 230 at whatever time that analysis is prepared.

A landfill in Gregory Canyon would have significant and unmitigable adverse impacts, unjustly burden Luiseño people throughout the region—for whom Gregory Mountain is a sacred site—and threaten endangered species and the groundwater upon which tens of thousands of San Diego County residents rely. Moreover, the landfill is not needed. The DEIS fails to evaluate the need for a landfill based on present circumstances and defines the project purpose in unreasonably narrow terms, rendering the project a foregone conclusion in direct violation of NEPA. The landfill is not in the public interest and is not the least environmentally damaging alternative (LEDPA). We urge the Army Corps to deny a § 404 permit for the project and to reject Gregory Canyon, Ltd.'s proposed alternative.

INTRODUCTION

The U.S. Army Corps of Engineers' DEIS contemplates the construction, operation, and closure of a 308 acre Class III landfill with an approximately 30-million ton capacity, a daily intake of 5,000 tons, and an annual intake of one million tons of solid waste for 30 years. The applicant's proposed site for construction of the landfill is a pristine, ecologically rich canyon in north San Diego County. If constructed, the landfill would sit directly on top of one of Southern California's last free-flowing streams and sacred Native American sites. The proposed landfill site is ill-advised and a poor alternative for a legion of reasons, any one of which, taken alone, establishes that Gregory Canyon is not the LEDPA and all of which, taken together, lead to one incontrovertible conclusion: the proposed dump is *not* in the public interest. To compound the problem, the DEIS downplays environmental impacts, assumes dubious mitigation, relies on an outdated assessment of need, and defines the project purpose in impermissibly narrow terms.

The proposed landfill site is unusually rich with cultural and natural treasures. The landfill would be located two miles southwest of Pala, home to the Pala Band of Mission Indians, and construction of the proposed landfill would bury the side of Gregory Mountain and abut Medicine Rock, both of which are sacred sites not just to the Pala Band, but to several other Native American Tribes.

Not only would the trash desecrate sacred cultural sites, the operation of the dump itself would forever alter the community character and quality of life of the rural and majority Native American residents of the San Luis Rey River Valley. The proposed site is located on the winding country road SR 76. The projected traffic volume increase from the project is estimated to be as much as 675 trucks or the equivalent of 2,085 passenger cars *per day*. (DEIS section 3.1.5.2) Assuming normal business hours of operation, the traffic traveling to and from the landfill would amount to over 85 dump trucks or the equivalent of 260 passenger cars *each hour*. The impact of this traffic creates not disproportionate and adverse impacts on the safety of the local community, but also, air quality and noise concerns. Of the six alternative sites considered in the DEIS, the proposed site is the *only* site that would have a "disproportionately high and

adverse” environmental justice effect. In fact, the DEIS reports that the proposed site would have confirmed or potential “disproportionately high and adverse” environmental justice effects across *five of six* categories of impacts, including impacts to traditional cultural properties. (DEIS Table ES-4.) *None* of the other proposed alternatives would have high and adverse environmental justice effects. (*Id.*)

The traffic and trash—30 million tons of garbage being buried nearly 500 feet high in undeveloped Gregory Canyon—would also irrevocably harm the resident wildlife and threaten the San Luis Rey River, which will impact endangered species and the tens of thousands of individuals who depend on the underlying aquifer for their drinking water. The San Luis Rey River passes through the proposed site as it flows west to the ocean, and water pumped from the underground aquifers along the San Luis Rey River is used by municipalities, including the City of Oceanside, farmers, and local residents. The water quality in the Pala Hydrologic Subarea is already impaired due to existing and past use in the area, including irrigation from dairy and cattle grazing operations. (DEIS 4.9-13.) The DEIS, however, ignores these findings and concludes without support that the groundwater quality is “generally good.” (*Id.*) The DEIS further relies on unreasonable or vague mitigation measures, e.g. isolating pollutants to impermeable surfaces and away from drainage courses. (DEIS 3-6.) The dump site is directly on top of three aquifers—there is not getting away from a drainage course. The site is also home to four federally endangered species, critical habitat for the Bells’ vireo, and home to a nesting pair of golden eagles.

These cultural, environmental, and public health and safety impacts are not only extreme, they are *entirely needless*. Construction of a landfill in Gregory Canyon was first considered in the 1980s. In the intervening decades, San Diego County and the State of California have moved away from what is quickly becoming an anachronistic form of waste disposal and towards alternative waste management. The DEIS’s misrepresents the findings of the Needs Analysis, which is itself outdated. Expanded landfill capacity and new technologies in waste management mean this dump is not necessary. The DEIS relies on an analysis of need that was conducted over a decade ago and that fails to take into account the current regional and state-wide trend away from using landfills and towards alternative management of municipal solid waste.

NEPA requires the Army Corps to conduct an analysis of alternatives that “promotes efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man.” (42 U.S.C. § 4321). No such alternatives analysis was conducted here. NEPA “places upon a federal agency the obligation to consider every significant aspect of the environmental impact of a proposed action.” (*Kern v. U.S. Bureau of Land Mgmt.*, 284 F.3d 1062, 1066 (9th Cir. 2002) (citing *Baltimore Gas & Elec. Co. v. Natural Res. Def. Council, Inc.*, 462 U.S. 87, 97 (1983))). The DEIS ignores the serious environmental

justice concerns raised by the proposed project. NEPA “establishes ‘action-forcing’ procedures that require agencies to take a ‘hard look’ at environmental consequences. (*Metcalf v. Daley*, 214 F.3d 1135, 1141 (9th Cir. 2000).) Those action forcing procedures have been eviscerated with nods towards vague mitigation and conclusory, unfounded statements.

The law is clear that the DEIS must be a pre-decisional, objective, rigorous, and neutral document, not a work of advocacy to justify an outcome that has been foreordained. “[T]he comprehensive ‘hard look’ mandated by Congress and required by the statute must be timely, and it must be taken objectively and in good faith, not as an exercise in form over substance, and not as a subterfuge designed to rationalize a decision already made.” (*Metcalf*, 214 F.3d at 1142.) The DEIS impermissibly defines the project goals in such unreasonably narrow terms as to render a landfill the only possible outcome, and we offer our comments to ensure the Army Corps’ compliance with these important mandates.

In the present context, NEPA requires a hard look at reasonable alternative methods of waste management; such alternatives would not only avoid or minimize the action’s adverse impacts, they would be in the public interest because they would create jobs, protect public health, and preserve natural and cultural resources. Because the proposed landfill is not needed and would desecrate cultural sites sacred to the Luiseño people, adversely impact air quality, threaten water supplies, create traffic safety problems, and destroy critical habitat, we urge the Army Corps to reject the § 404(b)(1) permit for the proposed landfill, reject the applicant’s proposed alternative, and to revise the DEIS. The proposed landfill in Gregory Canyon is neither the LEDPA nor in the public interest, and any finding to the contrary based on the faulty alternatives analysis in the DEIS would be arbitrary and capricious.

I. THE PROPOSED LANDFILL WOULD HAVE DISPROPORTIONATELY HIGH AND ADVERSE CULTURAL AND ENVIRONMENTAL JUSTICE IMPACTS, IS NOT THE LEDPA, AND IS NOT IN THE PUBLIC INTEREST.

In making its determination regarding the issuance of a § 404(b)(1) permit, the Army Corps is required to consider whether the proposed project is in the public interest. (33 C.F.R. § 320.4(a)(1).) In its evaluation of whether the landfill is in the public interest, the general criteria to be considered in evaluating each permit application are: (1) the relative extent of the public and private need for the project; (2) the practicability of reasonable alternative locations and methods to accomplish the goal of the project; and, (3) the extent and permanence of the likely beneficial and/or detrimental impacts of the proposed project on the uses to which the area is suited. (33 C.F.R. § 320.4(a)(2).)

With respect to the third criteria, when weighing the proposed project's impacts, the Corps must balance the benefits and detriments of the proposed project on the area and consider, among others, the following enumerated factors:

the needs and welfare of the people; historic, cultural, scenic, and recreational values, including Indian religious or cultural sites; effect on wetlands, which are a "productive and valuable public resource, the unnecessary alteration or destruction of which should be discouraged as contrary to the public interest;" fish and wildlife, "with a view to the conservation of wildlife resources by prevention of their direct and indirect loss and damage due to the activity proposed in the permit application;" water supply and conservation, since "Water is an essential resource, basic to human survival, economic growth, and the natural environment;" water quality, and the ability of a permitted project to comply with effluent limitations; and general environmental concerns.

(33 C.F.R §320.4(a).)

In each of the enumerated factors above, the detrimental impacts of the proposed project resoundingly outweigh the beneficial impacts. The magnitude of the toll of the project on the public is particularly apparent when one considers the irremediable and irreversible cultural, historic, and human impacts implicated by the project.

The proposed landfill would destroy the Luiseño and Cupeno people's spiritual and religious sites, including Gregory Mountain, Medicine rock, and the San Luis Rey River. Gregory Mountain is known as Chokla to the Luiseño people, and it is the sacred home of their spirit Takwish. Medicine Rock is covered with ancient painted symbols, or pictographs, that are reminders of the puberty rituals that took place at the rock in earlier times. There can be no property more "historic" than a sacred Native American site. Furthermore, the presence of an ancient village site at the mouth of Gregory Canyon raises serious questions about the presence of Native American remains in the canyon that would be disturbed by the construction of the proposed project.

The siting of the landfill on top of Native American sacred sites and two miles from Pala, home to the Pala Band of Mission Indians, is not just unfortunate, it is unjust. In 1994, President Clinton signed Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," in which he ordered that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." Exec. Order No. 12,898, 59 Fed. Reg. 7629 (Feb. 11, 1994). Accordingly, the

DEIS is required to include an evaluation of the environmental justice effects of the proposed action, i.e. the project's impacts on minority, low-income, and Native American populations. The process is intended to protect and avoid, minimize, and mitigate adverse impacts to disproportionately affected populations.

In the present case, the DEIS recognizes that the proposed site has both minority and tribal characteristics. (DEIS Section 4.6, Table 4.6-1.) The population in the census tract where the proposed site is located is greater than 58 percent minority or Native American individuals. The census tract where the project would be located also includes lands within the traditional tribal territory of the Pala Band of Mission Indians and greater Luiseño community. Indeed, the Army Corps went through the motions of conducting an environmental justice evaluation of the proposed landfill. However, that evaluation would be rendered meaningless if the Army Corps fails to heed its own findings and reject Gregory Canyon as the preferred alternative.

The Army Corps evaluated six alternatives to the proposed action. Of the seven alternatives considered, the Gregory Canyon landfill site was the *only* alternative with disproportionately high and adverse environmental justice effects. Not only was it the only alternative to have such effects, it had them in three of the six issue areas considered: aesthetics, traditional cultural properties, and transportation. (DEIS Table ES-4.) The proposed alternative also had potentially disproportionately high and adverse effects in two additional issue areas: air quality and noise. (*Id.*) Put another way, all of the other sites that the Army Corps considered had no adverse impact and only one or two potential adverse impacts.

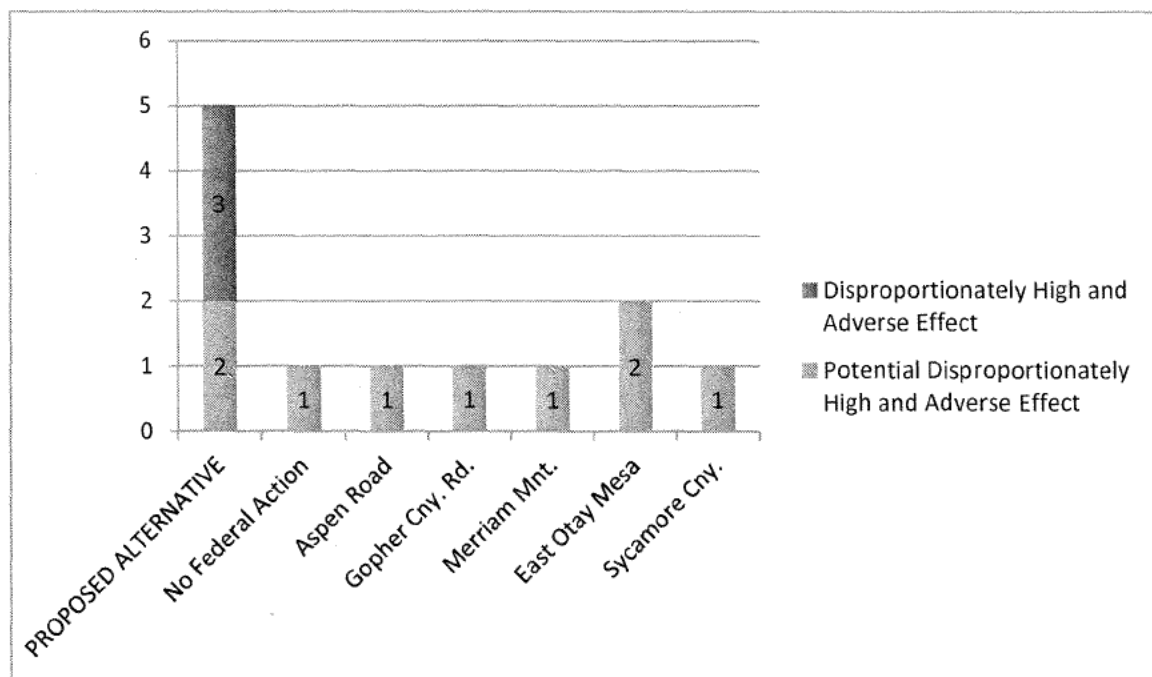


Figure 1. Degree of environmental justice harm related to the seven alternatives analyzed in the DEIS.

The siting of the landfill in Gregory Canyon is also in direct tension with the Council on Environmental Quality's developed Guidelines, which were intended to assist agencies with their NEPA procedures so that environmental justice concerns are effectively identified and addressed. The Guidelines state that the "identification of disproportionately high and adverse effects on minority and low-income populations should heighten agency attention to alternatives (including alternative sites), mitigation strategies, monitoring needs, and preferences expressed by the affected community or population." (Council on Env'tl. Quality, Environmental Justice: Guidance Under the National Environmental Policy Act 1 (1997).)

The mitigation measures proposed in the DEIS to ameliorate the "disproportionately high and adverse" environmental justice impacts of the proposed action are ineffectual and insufficient. For example, the proposed action recognizes that Luiseño people have long made pilgrimages to Gregory Mountain for spiritual guidance, religious ceremonies, and as a place of healing. To mitigate the desecration of this sacred site by burying it under a landfill, the DEIS states without explanation that the landfill's impact on this traditional cultural property would be mitigated because the project would "enhance access to the traditional cultural property," "propagate plants with traditional cultural uses," and "implement some new and long-term protection of Medicine Rock." (DEIS section 4.6.3.3.) Roads through a sacred site do not enhance access—they destroy the site. Furthermore, the reason to embark on a pilgrimage to Gregory Mountain would already have been destroyed by the dump itself, rendering the ease of access irrelevant. Offering to propagate plants is mixing apples and oranges. No plant can compensate for the loss of ancient pictographs or a sacred mountain. Similarly, vague, undisclosed, and unidentified promises of "protection" of Medicine Rock will not preserve the ancient pictographs that the DEIS itself acknowledges will be desecrated by "litter, dust, fumes, vibration, noise and malignant odors" as well as droppings from "scavenging birds attracted to solid waste management operations." (*Id.*)

An EIS must "inform decision-makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment." (40 C.F.R. § 1502.1.) This requirement has been described in regulation as "the heart of the environmental impact statement." (*Id.* § 1502.14.) The heart of the NEPA evaluation undeniably points to only one conclusion: the proposed alternative would have disproportionate adverse environmental justice and cultural impacts. No justification or mitigation has been offered for the selection of an alternative that is so starkly in contravention of the public interest. The Army Corps' DEIS does not reflect a "heighten agency attention to alternatives," but rather, a tunnel vision commitment to a particular outcome, i.e. siting the dump in Gregory Canyon, despite the fact that the site is the *only* one of the considered alternatives with severe adverse

environmental justice implications. The selection of Gregory Canyon for the proposed landfill would be arbitrary and capricious.

II. GREGORY CANYON LANDFILL IS NOT THE LEDPA NOR IS IT IN THE PUBLIC INTEREST BECAUSE SAN DIEGO COUNTY DOES NOT NEED ANOTHER LANDFILL AND THERE ARE PREFERABLE ALTERNATIVES.

To determine whether a proposal is in the public interest for purposes of the § 404(b)(1) permit, the Corps must consider whether there is *need* for the landfill, the practicability of alternative locations or methods of accomplishing the same goals as the project, and beneficial and/or detrimental impacts of the proposed project compared with other uses of the area.

The DEIS identifies the proposal's purpose as "to meet a portion. . . of San Diego County's long-term waste disposal needs by providing non-solid solid waste disposal capacity to service waste generated in or near North County." (DEIS at 2-7.) By concluding that a landfill is the only way to meet this need, the DEIS has defined the purpose in unreasonably narrow terms in violation of NEPA. (See *Metcalf*, 214 F.3d at 1142.)

The DEIS concludes that there is a "forecasted need for additional landfill capacity to serve waste generated in San Diego County;" however, it bases this conclusion on outdated sources. The DEIS relies on a 1986 Regional Solid Waste Management Plan and U.S. Geological Survey and other County studies in the late 1980s and early 1990's, ignoring current data on waste levels and landfill capacity. Instead of awarding this outdated and unnecessary project a permit, the Army Corps should recognize the strong trend in this State toward alternative means of municipal solid waste management. Alternative waste management methods that process, reuse, or recycle waste would provide far greater economic, cultural, and environmental benefits for the residents of San Diego County than another landfill.

In 1988, the California State Legislature passed AB 939, which required local governments to divert 50 percent of their waste by 2000. The State also passed other laws requiring deposits on beverage containers, batteries, oil cans, TVs, among others. The legacy of those laws and the benefits of increased waste diversion are 5,300 new waste management companies and organizations, 85,000 new waste-related jobs, and an ongoing \$4 billion in salaries and wages and \$10 billion worth of goods and services each year generated from the alternative waste industry. (RICHARD ANTHONY ASSOCIATES AND HIDDEN RESOURCES, ANALYSIS OF THE NEED FOR THE PROPOSED GREGORY CANYON LANDFILL AND AN ALTERNATIVE ON-SITE PROJECT FOR THE MANAGEMENT AND PROCESSING OF REUSABLE MATERIALS 6 (Jan. 3, 2013) [hereafter "ANTHONY REPORT"].)

Just last year, the California Legislature revised its waste diversion goals. Having met its 50 percent goal, the Legislature passed AB 341. Under AB 341, a new statewide goal was set:

California now aims to divert 75 percent or more of solid waste generated by 2020. (Cal. Pub. Res. Code § 41780.01(a).) In passing AB 341, the Legislature explained:

The disposal of recyclable materials in the commercial solid waste stream prevents materials from circulating in the state economy to produce jobs and new products. Reducing the disposal of these materials will conserve landfill capacity and contribute to a reduction in greenhouse gas emissions and climate change.

(A.B. 341 § 1(a)(3), 2011 – 2012 Reg. Sess. (Ca. 2008).) The Legislature further declared that to accomplish the 75 percent goal, it is State policy to encourage additional solid waste processing and composting. (Cal. Pub. Res. Code §§ 40004(a)-(b).)

The proposed Gregory Canyon landfill is in direct conflict with this goal and ignores the robust state-wide trend towards diversion. For starters, the DEIS wholly misrepresents the finding of the Needs Assessment. (DEIS section 2.1.2.) The Needs Assessment does not affirmatively confirm need for a landfill, but rather, it merely concludes that the Gregory Canyon landfill would “*assist*” San Diego County in meeting its waste disposal needs and would “*have a small effect on the Waste Shed’s disposal capacity and therefore is not needed on a regional basis.*” (DEIS Appendix B p. 31 (emphasis added).)

Furthermore, existing and planned capacity in the County is more than sufficient to meet the County’s needs going forward. The Needs Assessment itself miscalculates the amount of capacity available at existing landfills and fails to account for current information on waste capacity. For example, the Needs Assessment does not account for the capacity added by the Sycamore Canyon landfill expansion, which the San Diego City Council approved in September, 2012. This expansion alone will add 68 million tons of landfill capacity to San Diego County, as estimated in the Anthony report, eliminating any possible need for the 30 million tons provided by the proposed project. Assuming a conservative disposal rate of 3.5 million tons per year (with approximately 60 percent diversion), the planned expansions at Sycamore and the West Miramar Landfill would provide sufficient capacity for the next 43 years. In addition, the proposed East Otay Landfill could provide at least another 60 years of capacity. (See ANTHONY REPORT at 3-6.)

The current available landfill capacity is likely even greater than the amount projected above. Like in the rest of the state, the amount of waste disposed of in landfills in San Diego County continues to decline as waste diversion rates increase. The amount disposed of by jurisdictions in the County in 2011 decreased nearly 30 percent from the 4.18 million tons of waste disposed in 2005. (See Anthony Report at 3.) The Needs Assessment only analyzes waste disposal rates up until 2009 and fails to account for waste disposal data in 2010 and 2011.

Jurisdictions across San Diego County are striving to meet higher alternative waste management levels. For instance, U.C. San Diego aims to be a zero waste campus by 2020. (See Sustain UCSD, <http://sustainability.ucsd.edu/initiatives/waste-diversion.html>.) The City of San Diego already has a 66 percent recycling rate, and, along with San Diego County and nearly all of the other 17 governments within the County, requires all residential and commercial generators to sort waste at the source. Several jurisdictions have adopted Zero Waste plans and are seeking to reduce the disposal of compostable items. (See Anthony Report at 4, 9, 11.)

One area that will significantly increase diversion rates in the County is the recycling of construction and demolition (“C&D”) debris. Most jurisdictions in the County have enacted ordinances that require C&D debris be diverted at rates between 50 to 75 percent. These jurisdictions include the County and the cities of San Diego, Chula Vista, Encinitas, Imperial Beach, La Mesa, Lemon Grove, National City, Santee, Solana Beach, and Vista. C&D debris, including lumber, drywall, metals, masonry, carpet, plastic, pipes, and rock and dirt, can take up substantial space in a landfill. (See ANTHONY REPORT at 10.) Nationwide, C&D waste makes up approximate 42% of total solid waste in the nation.² Thus, these C&D ordinances will significantly reduce the amount of waste sent to landfills or incinerators. This C&D waste reduction will affect North County, since Vista, Encinitas, and Solana Beach are located there.

It is well established that most of the waste disposed of in the County can be processed, reused, or remanufactured. Of the approximately 7,700 tons of materials disposed in landfills each day in San Diego County, less than 10 percent has no market value or cannot be used. (See ANTHONY REPORT at 2, 9.) That is, over 90 percent of the materials currently disposed of in landfills could, and, if state-wide trends are any indicator, *will* be managed by alternative means.

Alternative waste management has been and will continue to be a practicable and environmentally preferable solution for waste in San Diego County. Alternative municipal waste management also offers greater public interest benefits. In particular, the public stands to benefit in the areas of job creation, improved air quality, and reduced greenhouse gas emissions. The Army Corps must deny the § 404 permit, because waste management by means of a landfill is not in the interest of the residents of San Diego County. Furthermore, a DEIS that fails to fully consider the regional need and a reasonable set of alternative methods of waste management does not provide decision-makers with the requisite information they need to make an informed and reasonable decision.

Alternative waste management generates more jobs than landfills.

Alternative waste management creates more jobs than continuing with business-as-usual disposal through landfilling or incineration. In 2008, more than two-thirds of waste was

² In 2008, the U.S. generated 250 million tons of municipal solid waste and 178 million tons of construction and demolition debris. MORE JOBS, LESS POLLUTION, at 3.

disposed of in the U.S., yet only about 15 percent of the jobs associated with waste management came from disposal activities like collecting, landfilling, or incineration. The other 85 percent of jobs were associated with diversion activities, including collection, processing, manufacturing with recycled materials, and composting. (GREEN BLUE ALLIANCE ET AL., MORE JOBS, LESS POLLUTION: GROWING THE RECYCLING ECONOMY IN THE U.S. 5 (2011), *available at* <http://www.bluegreenalliance.org/news/publications/document/MoreJobsLessPollution.pdf> [hereafter “MORE JOBS, LESS POLLUTION”].) These rates are illustrated in Figure 2 below.

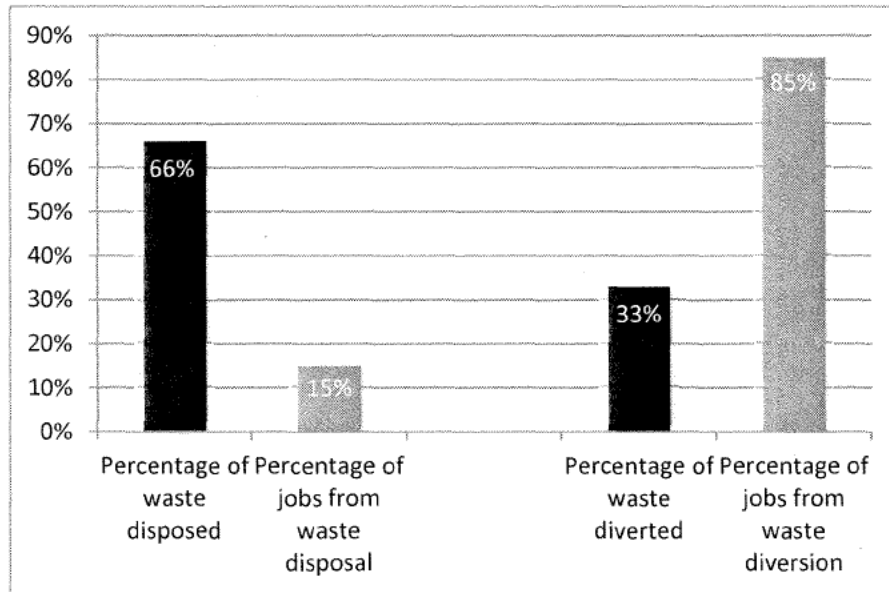


Figure 2. Waste disposal rate and related job creation.

A study by the Blue Green Alliance concludes that achieving a diversion rate of 75 percent by 2030 will result in twice as many direct jobs as a business-as-usual scenario. A 75 percent diversion rate, which California aims to achieve by 2020, will result in 2,347,000 direct jobs nationwide. Under that scenario, 98 percent of waste management jobs would be related to diversion activities, compared with only 89 percent under a business-as-usual case. (MORE JOBS, LESS POLLUTION, at 5-6.)

Waste disposal through landfilling and incineration is not job intensive, and generates only 0.1 job per 1,000 tons of waste. Materials collection also generates few jobs. Alternative waste management is significantly more labor intensive: processing recyclables generates 2 jobs per 1,000 tons, and processing organics generates 0.5 job per 1,000 tons. Manufacturing using recycled plastics generates about 10 jobs per 1,000 tons, and manufacturing using recycled paper, iron, and steel generates about 4 jobs per 1,000 tons. (MORE JOBS, LESS POLLUTION, at 5.)

The figure below shows the total job impacts from business as usual in 2030, compared to the 75 percent diversion scenario:

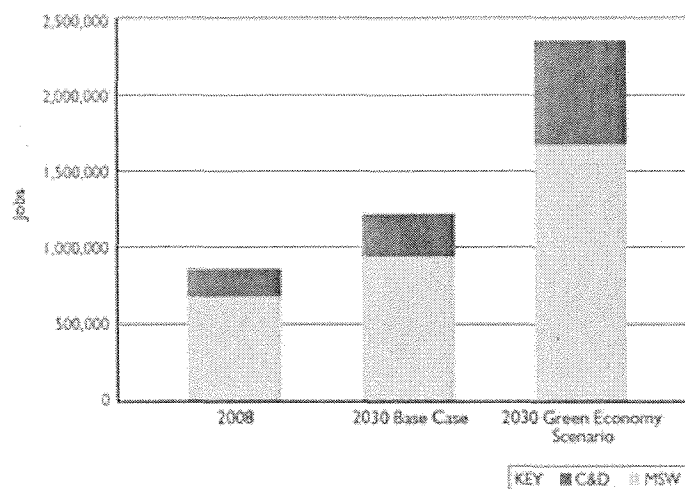


Figure 3. Projected total jobs created. Source: MORE JOBS, LESS POLLUTION, page 5. “C&D” refers to construction and demolition waste, and “MSW” refers to municipal solid waste.

Job creation benefits have already been seen in jurisdictions that have high diversion rates. San Francisco has had mandatory recycling and composting since 2009, with goals to achieve zero waste by 2020. Former Mayor Gavin Newsom of San Francisco commented on the program: “The recycling industry trains and employs men and women in local environmental work that can’t be outsourced and sent overseas, creating 10 times as many jobs as sending material to landfills.” (MORE JOBS, LESS POLLUTION, at 26.) San Diego County can also benefit by pursuing higher waste diversion and rejecting traditional landfilling.

Disposing of waste in landfills creates toxic air pollutants.

Recycling and composting instead of landfilling significantly reduces toxic air pollution. Air quality benefits come mostly from the manufacture of new products with recycled rather than virgin raw materials, and the replacement of synthetic petroleum-based fertilizers with compost. Compared with disposing of waste in a landfill, achieving 75 percent diversion would decrease emissions that impact public health, like particulate matter, toxics, and carcinogens by approximately two-thirds. It would also reduce emissions that damage ecosystems, such as nitrogen equivalents that cause eutrophication, sulfur dioxide equivalents that cause acidification, and herbicide 2,4-D equivalents that result in ecosystem toxicity, by approximately half to two thirds. (MORE JOBS, LESS POLLUTION, at 6, 47-49.)

Construction and operation of the landfill will generate significant amounts of greenhouse gasses.

A higher diversion rate would reduce greenhouse gas (“GHG”) emissions. Recycling reduces greenhouse gas emissions in the manufacturing of recycled materials and avoids emissions from waste disposal. Recycling also maintains carbon sequestered in trees that would

otherwise be harvested to make paper. Diverting 75 percent of waste by 2030 nationwide would reduce GHG emissions by 515 million eMTCO₂. This scenario produces 276 million eMTCO₂ less than the business-as-usual case. This difference is equivalent to shutting down about 72 coal-fired plants, or taking 50 million cars off the road. (MORE JOBS, LESS POLLUTION, at 6, 7, 47.)

The figure below illustrates the climate change emission reductions from achieving 75 percent diversion, compared to business as usual in 2030:

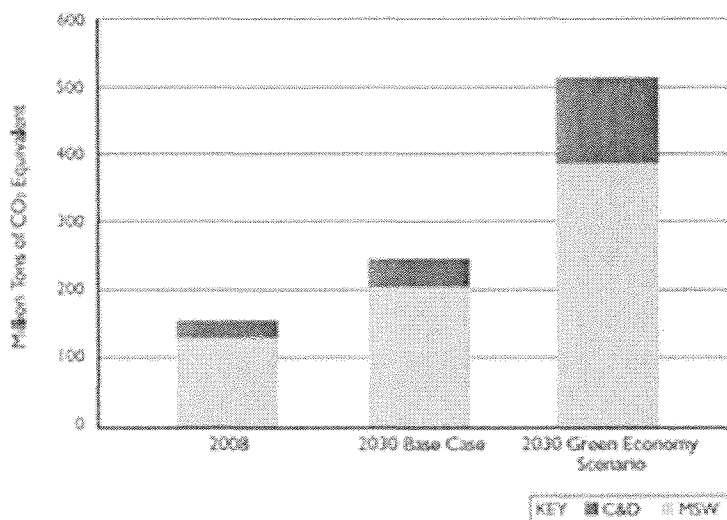


Figure 4. GHG reductions from waste diversion. Source: MORE JOBS, LESS POLLUTION, page 7.

Increasing waste diversion provides economic benefits to businesses. More waste diversion results in cost savings for businesses and the creation of private sector jobs that would not come with building another landfill. As noted above, AB 939 and other mandates created 5,300 new companies and organizations, 85,000 new jobs, and an ongoing \$4 billion in salaries and wages and \$10 billion worth of goods and services each year. Massachusetts, which instituted a C&D recycling program in 2006, has seen the growth of one of the best C&D processing infrastructures in the County. By 2010, it had 15 C&D processing and/or recycling facilities. Each of those facilities supports numerous jobs in processing materials and manufacturing products from recycled materials. Moreover, businesses that recycle benefited economically from diverting their C&D debris. Clarke Corporation, a wholesale distributor of kitchen appliances, reused or recycled 98 percent of materials generated on-site, saving \$249,043. In another case, the Massachusetts Institute of Technology recycled 96 percent of the waste from a media lab demolition, and saved \$17,684. San Diego County is likely already seeing similar benefits from its C&D ordinance, which would not be possible without higher diversion from landfills. (MORE JOBS, LESS POLLUTION, at 24.)

Plastic bag litter from operation of the landfill will require expensive cleanup efforts and contributes to marine debris.

A recent study conducted by Los Angeles County explains the problem of plastic bag pollution resulting from landfills:

Due to their expansive and lightweight characteristics, wind easily carries these bags airborne like parachutes. Communities within close proximity to landfills and other solid waste processing facilities are especially impacted as plastic carryout bags escape from trash trucks while traveling or emptying their loads. Although trucks and facilities are required to provide cover and fences, carryout bags manage to escape despite Best Management Practices (BMPs) such as using roving patrols to pickup littered bags. Despite litter control devices (e.g. litter fences), local landfills and solid waste transfer station operators estimate they spend approximately \$25,000 and \$1,500 per month at each facility, respectively, to send roving patrols to pickup littered plastic carryout bags. Even with these measures, it is very difficult to pick up the errant plastic carryout bags. Despite the efforts of various cleanup activities and thousands of residents who annually volunteer countless hours in beach, roadside (e.g. Adopt-A-Highway programs), park, and neighborhood cleanups, plastic carryout bag litter remains a significant problem.

(LOS ANGELES COUNTY, AN OVERVIEW OF CARRYOUT BAGS IN LOS ANGELES COUNTY 23 (2007), available at <http://ladpw.org/epd/pdf/PlasticBagReport.pdf> [hereafter “LOS ANGELES BAG REPORT”].) Based on the harm from plastic bag litter, Los Angeles County banned plastic bags. Gregory Canyon Landfill, located on the San Luis River, will be a source of plastic bag debris.

Plastic bag pollution results in high economic costs for coastal jurisdictions and wide environmental harms. Plastic litter from landfills and other sources make their way into local water sources, beaches, and eventually into the ocean. A 2012 report by the US EPA estimates that California’s coastal cities and counties spend more than \$420 million each year to clean up litter and reduce marine debris. (See STIKEL, B.H., A. JAHN, AND W. KIER, U.S. ENV’T’L PROTECTION AGENCY, REGION 9, THE COST TO WEST COAST COMMUNITIES OF DEALING WITH TRASH, REDUCING MARINE DEBRIS (2012), available at <http://www.epa.gov/region9/marine-debris/pdf/WestCoastCommsCost-MngMarineDebris.pdf>.) Plastic bag litter makes up a significant portion of marine debris, and it is estimated that over 267 species of wildlife have been affected by plastic bag litter. (LOS ANGELES COUNTY STAFF REPORT at 29.)

The proposed landfill will contribute to plastic bag litter. As the experience from Los Angeles County has shown, plastic bag debris will enter the environment despite the use of Best Management Practices. These bags can make their way into the San Luis River, and eventually to nearby beaches and into the ocean. Building a new landfill will create a surge in plastic bag pollution in the North County area, which will directly increase clean up costs by adjacent jurisdictions, reduce tourism and recreational opportunities, and harm marine wildlife, and contribute to the masses of plastic marine debris in our oceans. These impacts can be avoided by not permitting the landfill and increasing waste diversion activities.

The success of alternative waste disposal and the promise of increasing diversion rates demonstrate that more alternative waste management can be the solution to San Diego County's waste disposal needs.

CONCLUSION

For the reasons given, we urge the Army Corps to reject Gregory Canyon, Ltd.'s 404(b)(1) permit application as not in the public interest, reject the proposed alternative as not the least environmentally damaging alternative, and supplement the DEIS with a broader alternatives analysis as required by NEPA that reduces the disparate environmental justice impacts and considers alternative means of municipal solid waste management.

Very truly yours,

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Attachments

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U.S. Army Corps of Engineers

April 12, 2013

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Ruth Harbor, RiverWatch

From: BLUMENFELD, JARED
To: RYERSON, NANCY (TEDDY)
Subject: Fw: Flight delay - UA6352 departing SFO
Date: Sunday, March 03, 2013 8:54:39 PM

Oh Joy.

-----Original Message-----

From: United Airlines, Inc.
To: jaredblumenfeld@comcast.net
Subject: Flight delay - UA6352 departing SFO
Sent: Mar 3, 2013 7:58 PM

Confirmation number: N4XXW7
United flight UA6352 on March 3 is delayed due to late-arriving aircraft.
Now departs: 10:15 p.m. on March 3 from gate 32c, San Francisco, CA (SFO)
Now arrives: 1:14 a.m. on March 4 at Tucson, AZ (TUS)

Please be at the gate for boarding prior to the original scheduled departure time of 9:27 p.m., as the departure time could be revised again.

Information is subject to change. For up-to-the-minute flight status information, go to united.com, use the United mobile app or check flight information screens at the airport.

Jared Blumenfeld, EPA

From: BLUMENFELD, JARED
To: RYERSON, NANCY (TEDDY)
Subject: Fw: Flight delay - UA6352 departing SFO
Date: Sunday, March 03, 2013 9:07:06 PM

Just keeps on getting better as of course today I was early at sfo!

-----Original Message-----

From: United Airlines, Inc.
To: jaredblumenfeld@comcast.net
Subject: Flight delay - UA6352 departing SFO
Sent: Mar 3, 2013 9:02 PM

Confirmation number: N4XXW7

United flight UA6352 on March 3 is delayed due to late-arriving aircraft.

Now departs: 11:00 p.m. on March 3 from gate 32c, San Francisco, CA (SFO)

Now arrives: 1:59 a.m. on March 4 at Tucson, AZ (TUS)

Please be at the gate for boarding prior to the original scheduled departure time of 9:27 p.m., as the departure time could be revised again.

Information is subject to change. For up-to-the-minute flight status information, go to united.com, use the United mobile app or check flight information screens at the airport.

Jared Blumenfeld, EPA

From: BLUMENFELD, JARED
To: Jared Blumenfeld
Subject: Fw: Follow-up
Date: Friday, February 15, 2013 9:27:37 AM
Attachments: 100% Recycled Paper Background.docx

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: Jared Blumenfeld
Sent: 02/15/2013 10:32 AM EST
To: Jared Blumenfeld
Subject: Fw: Follow-up

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: Jared Blumenfeld
Sent: 02/01/2013 12:45 PM MST
To: Dan.Bernal@mail.house.gov
Cc: Brent Maier
Subject: Follow-up

Dear Dan:

As requested, I am attaching a brief summary of the background and opportunities of switching Federal Agencies to 100% recycled copy paper. I will be in DC next Thursday, February 7th if any of your DC staff want to discuss.

Hoping you are well.

Jared Blumenfeld

U.S. EPA

Regional Administrator

Pacific Southwest

415-947-8702

From: BLUMENFELD, JARED
To: HELLER, ZOE
Subject: Fw: Fwd: Meeting with Bob Perciasepe and SF Giant's Management
Date: Thursday, February 28, 2013 12:02:50 PM

-----Original Message-----

From: Chris Gruwell
To: jaredblumenfeld@comcast.net
Subject: Fwd: Meeting with Bob Perciasepe and SF Giant's Management
Sent: Feb 28, 2013 11:48 AM

Please advise

Sent from my iPhone
Begin forwarded message:

From: "Hunt, Sara" <shunt@attpark.com>
Date: February 28, 2013, 11:29:23 AM PST
To: "Revetria, Stephen" <srevetria@attpark.com>, Chris Gruwell <csg@platinumadvisors.com>
Subject: RE: Meeting with Bob Perciasepe and SF Giant's Management

Hi Chris-

I can be available to meet with Mr. Perciasepe on March 5th. I am wondering if we might be able to move the meeting to Scottsdale Stadium since he will be attending the game here that afternoon? I am happy to coordinate with his staff directly if you want to put me in touch with them.

Unfortunately, my duties as the manager of our spring training franchise will require me to be at Scottsdale Stadium that day, so unless we can move the meeting to this location or meet after the game that day, I would not be available to attend.

Thank you –
Sara

Vice President, Giants Enterprises

From: Revetria, Stephen
Sent: Thursday, February 28, 2013 9:31 AM
To: Chris Gruwell
Cc: Felder, Alfonso; Hunt, Sara
Subject: Re: Meeting with Bob Perciasepe and SF Giant's Management

Chris -

I have cc'd Alfonso & Sara who manage our Scottsdale operations. I don't believe any senior management from SF, other than me, will be in Arizona early next week. His area of interest doesn't fall into my area of the business - so I will ask Sara or Alfonso determine availability.

Thanks,
Stephen

On Feb 28, 2013, at 8:03 AM, "Chris Gruwell" <csg@platinumadvisors.com> wrote:
Can we discuss

Sent from my iPhone

Begin forwarded message:

From: "BLUMENFELD, JARED" <BLUMENFELD.JARED@EPA.GOV>
Date: February 22, 2013, 5:51:03 PM PST
To: "csg@platinumadvisors.com" <csg@platinumadvisors.com>
Cc: "HELLER, ZOE" <Heller.Zoe@epa.gov>, "Owens, Stephanie" <Owens.Stephanie@epa.gov>, "HELLER, ZOE" <Heller.Zoe@epa.gov>
Subject: Meeting with Bob Perciasepe and SF Giant's Management
Hi Chris:

As we discussed, Bob Perciasepe, the acting Administrator for the US Environmental Protection Agency, would like to meet with the SF Giant's Management when he is in Phoenix on March 5th at 12:15pm. The meeting will be at Chase Field, the Arizona Diamondback's Stadium, located at 401 E. Jefferson St. Phoenix, AZ 85004. Bob has tickets to see the Giants v Indians game.

Prior to his current role, Bob was the Deputy Administrator for US EPA, appointed by President Obama in 2009. Bob would like to meet with the Giant's Management to discuss US EPA's Green Sports Initiative and the great work the Giant's have been doing to foster sustainability in baseball.

The point of contact for us is Stephanie Owens who works with Bob in DC. She is copied above.

Thanks!

Jared Blumenfeld, EPA

From: [Blumenfeld, Jared](#)
To: [Blumenfeld, Jared](#); [Jared Blumenfeld](#)
Subject: Fw: I-710 op-ed draft
Date: Tuesday, May 14, 2013 6:24:32 PM

Jared Blumenfeld, EPA

From: Keener, Bill
Sent: Monday, May 13, 2013 12:39:41 PM
To: Blumenfeld, Jared
Cc: Zito, Kelly
Subject: I-710 op-ed draft

Jared, here's the draft text...

Speeding Freight and Cleaning the Air along the I-710

by Jared Blumenfeld and William Burke

Anyone who drives the I-710 freeway during rush hour knows that something needs to be done to improve the safety and capacity of this busy roadway. Anyone who lives in the shadow of the freeway knows that more needs to be done to reduce the diesel soot and other pollutants belched by trucks on the roadway. Residents in these communities bear some of the highest cancer risk in the region from air pollution due to diesel exhaust.

More than 40 percent of all goods imported from Asia to the United States flow through the twin ports of Los Angeles and Long Beach. The majority of these imported goods are transported to Southern California rail centers and warehouses by some 40,000 daily truck trips within the I-710 corridor. All this trade creates close to 900,000 California jobs and puts more than \$40 billion in federal, state and local tax coffers at a time when we need every penny. But this economic benefit has a cost: Air pollution from trucks and other sources is responsible for thousands of lives cut short every year in Southern California.

How can we reduce traffic and improve air quality? Caltrans can and should accomplish the twin goals of speeding freight and improving air quality along the I-710 by implementing dedicated, zero-emission truck lanes along the corridor. This vision is getting closer to reality with the recent commitment by Caltrans to revise its Environmental Impact Report to better address air quality concerns and to analyze a full zero-emissions corridor with no lane expansion as a possible solution for modernizing the freeway. Caltrans should be lauded for declaring that one of its key goals for the I-710 project is to "improve air quality and public health."

Recognizing that the I-710 cannot handle today's traffic load -- much less the increase in truck traffic expected from a tripling of containers handled by the ports by 2035 -- Caltrans is planning to modernize this Eisenhower-era interstate. Special lanes designated for clean trucks on the freeway will improve air quality and create more existing lane capacity for automobiles, easing congestion,

reduce drive times, and make driving safer.

Clean trucks could run on batteries, fuel cells, hybrid technologies coupling natural gas and electric power, or overhead wires to provide electricity -- all of which emit no pollution in key transport corridors. These technologies are not science fiction. Electric and fuel-cell trucks are now being demonstrated and used. The testing, construction and maintenance for this project would bring hundreds of much-needed jobs to the region, and clean energy solutions can help insulate our economy from petroleum price shocks.

Clean transportation is not new to our region. Between 1901 and 1963, more than 900 electric streetcars moved passengers throughout Southern California, connecting communities and building them into a prosperous metropolis. We need to go "back to the future" in our pursuit of breathable air and turn the I-710 corridor into a global model for 21st century transportation systems. Angelinos know that through innovation, we can have a prosperous future without compromising our values.

Most importantly, timely implementation of zero-emissions technologies is essential to meeting our air quality goals and protecting human health. By 2023, the federal Clean Air Act mandates that Los Angeles meet the current health standards for ground-level ozone. That might sound far off, but getting new technologies online doesn't happen overnight.

The benefits are clear and the time has come. The I-710 project offers the ideal opportunity to build a zero-emissions truck corridor and protect the health of some of our most impacted communities -- all while allowing our economy to grow and thrive. These are goals worth fighting for.

Bill Keener

Office of Public Affairs
U.S. EPA - Region 9
San Francisco, CA
Phone: (415) 972-3940

From: BLUMENFELD, JARED
To: HELLER, ZOE
Subject: Fw: invitation to my swearing-in ceremony
Date: Tuesday, February 19, 2013 6:01:30 PM
Attachments: Invite to Swearing-in Ceremony.pdf

From: David Hochschild
Sent: Friday, February 15, 2013 9:41:22 PM
To: jaredblumenfeld@comcast.net; BLUMENFELD, JARED
Subject: invitation to my swearing-in ceremony

Jared

had a great meeting with the Governor and he has appointed me to the CA Energy Commission. Hope you can join for the swearing-in and reception next thurs in SF.

Our journey continues.

David

SWEARING-IN CEREMONY

for

David Hochschild

Commissioner, California Energy Commission

WHEN: Thursday February 21 at 4:30PM

WHERE: Lobby level

San Francisco Public Utilities Commission HQ

525 Golden Gate Avenue in Civic Center Plaza

(a LEED platinum, wind and solar powered building)

Reception to follow.

Please RSVP to Mary Jung at maryjungsf@yahoo.com